

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:	:	Chapter 11
	:	
RS OLD MILL, LLC,	:	Case No. 17-22218-RDD
	:	
Debtor.	:	

ORDER AMENDING JULY 13, 2017 ORDER

Upon consideration of the motion [ECF No. 46] (the “**Motion**”) by Bridgewater Capital Partners (“**Bridgewater**”) pursuant to Rules 59(e) and 60(b) of the Federal Rules of Civil Procedure made applicable by Rules 9023 and 9024 of the Federal Rules of Bankruptcy Procedure requesting relief from the July 13, 2017 Order Authorizing Debtor’s Assumption of Agreement of Sale [ECF No. 45] (the “**July Order**”) and/or in the alternative to amend the July Order; and upon the Objection to the Motion [ECF No. 51] filed by Novartis Corporation (“**Novartis**”) and all other pleadings filed in connection therewith; and upon the record of the hearing held by the Court on the Motion on July 27, 2017 (the “**Hearing**”); and upon the letter of Scott R. Matthews, Esq. to the Court, dated August 14, 2017; and after due deliberation, and sufficient cause appearing therefor, it is hereby

ORDERED, that:

1. The Motion is GRANTED to the extent set forth below.
2. The July Order is amended to provide that RS Old Mill, LLC (the “**Debtor**”) and Novartis shall close on the Agreement of Sale (as defined in the July Order) on or before August 17, 2017.
3. Novartis shall have permitted Mr. Christopher Alviggi and Alliant Insurance Services, Inc. promptly after the date of the Hearing to act as a broker for Debtor to procure a PLL Policy

(as defined in the Motion) and shall not otherwise have impeded or, before the August 17, 2017 closing date, impede Bridgewater's ability to obtain such a policy.

4. Novartis shall, upon reasonable prior notice, permit a photographer to have access to the Property (as defined in the Motion) as well as individuals from the following companies:

Company

Alliant Insurance Services, Inc.

Sive, Paget & Riesel P.C.

Robotic System

Bingo Wholesale

Bridgewater

Westrock Appraisal

ATC Group Services

Leonard Jackson & Associates

E-Z Riser Roof Raising

Luxque

5. Novartis shall, upon reasonable prior notice, permit the Debtor and/or Bridgewater to have access to the Property a second time based upon the advice of the professionals identified in Paragraph 4.

6. The Debtor and/or Bridgewater shall provide Novartis with any notice required under Paragraphs 4 and 5 above no less than twenty-four (24) hours in advance, which notice shall identify each individual seeking access to the Property and the company with which he or she is affiliated.

7. By agreeing to allow Debtor and Bridgewater to have access to the Property as set forth in Paragraphs 4 and 5 above, Novartis is neither (1) modifying the Agreement of Sale or otherwise agreeing the Agreement of Sale is contingent upon Debtor obtaining financing from Bridgewater or any other person or entity, (2) consenting to re-open the Due Diligent Period (as defined in the Agreement of Sale), nor (3) consenting to allow future access to the Property.

8. Further, the individuals who enter the Property have agreed to do so at their own risk and Novartis shall have no liability arising from the grant of access.

Dated: White Plains, New York
August 14, 2017

/s/Robert D. Drain
HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE